

PTO/SB/01 (03-01)

Approved for use through 10/31/2002. OMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

Declaration  
Submitted  
with Initial  
Filing

OR

Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket Number

5/1252

First Named Inventor

Frank HIMMELSBACH

**COMPLETE IF KNOWN**

Application Number

09 / 914,323

Filing Date

08/24/2001

Group Art Unit

Examiner Name

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**BICYCLIC HETEROCYCLES, PHARMACEUTICAL COMPOSITIONS CONTAINING THESE  
COMPOUNDS, THEIR USE AND PROCESSES FOR PREPARING THEM**

(Title of the Invention)

the specification of which



is attached hereto

OR



was filed on (MM/DD/YYYY)

08/24/2001

as United States Application Number or PCT International

Application Number 09/914,323

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
DE 199 08 567.6	Germany	02/27/1999	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DE 199 11 366.1	Germany	03/15/1999	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DE 199 28 306.0	Germany	06/21/1999	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DE 199 54 816.1	Germany	11/13/1999	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**Telefax****Boehringer  
Ingelheim**

Ms. Tammy Holland  
United States Patent and Trademark Office  
703/305-5483  
703/305-3230

Boehringer Ingelheim  
Corporation

Page 1 of 5

February 06, 2002

Re: USSN 09/914,323; Atty. Docket No. 5/1252

Sandra J. Moline  
Telephone 203/798-4791  
Telefax 203/798-4408  
E-Mail  
smoline@rdg.boehringer-  
ingelheim.com

900 Ridgebury Rd/P.O. Box 368  
Ridgefield, CT 06877-0368

Dear Ms. Holland:

Enclosed herewith please find a copy of the second Declaration for Utility or Design Patent Application which was inadvertently not included in the filing of the Missing Parts on November 9, 2001.

If you need any further information, please call me at 203/798-4791.

Sincerely,

Sandra J. Moline  
Administrative Assistant to  
Alan R. Stempel

Enclosure

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**DECLARATION — Utility or Design Patent Application**Direct all correspondence to: ☒Customer Number  
or Bar Code Label

28505

OR ☐

Correspondence address below

Name

Address

City

State

ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR: ☐

A petition has been filed for this unsigned inventor

Given Name

(first and middle [if any]) Frank

Family Name

or Surname HIMMELSBACHInventor's  
Signature [Signature]

Date

Sept. 27, 01

Residence: City

Mittelbiberach

State

Country GermanyCitizenship DEMailing Address Ahornweg 16DEXCity Mittelbiberach

State

ZIP D-88441Country GermanyNAME OF SECOND INVENTOR: ☐

A petition has been filed for this unsigned inventor

Given Name

(first and middle [if any]) Elke

Family Name

or Surname LANGKOPFInventor's  
Signature [Signature]

Date

Oct. 25, 01

Residence: City

Warthausen

State

Country GermanyCitizenship DEMailing Address Schloss 3DEXCity Warthausen

State

ZIP D-88447Country Germany☒ Additional Inventors are being named on the 2 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

Please type a plus sign (+) inside this box →



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**DECLARATION****ADDITIONAL INVENTOR(S)**  
**Supplemental Sheet**  
Page 1 of 2**Name of Additional Joint Inventor, if any:**☐ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))

Family Name or Surname

Birgit

JUNG

Inventor's  
Signature

Date

Sept 27, 01

Residence: City Schwabenheim

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Country

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**Name of Additional Joint Inventor, if any:**☐ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))

Family Name or Surname

Thomas

METZ

Inventor's  
Signature

Date

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**Name of Additional Joint Inventor, if any:**☐ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))

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Flavio

SOLCA

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Signature

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State

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Country

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Case No. 5/1252

Please type a plus sign (+) inside this box →



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**DECLARATION**
**ADDITIONAL INVENTOR(S)**  
**Supplemental Sheet**  
 Page 2 of 2

Name of Additional Joint Inventor, if any:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))

Family Name or Surname

Stefan

BLECH

Inventor's  
Signature

Date

Sept 27, 01

Residence: City Warthausen

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DEX

City Warthausen

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D-88447

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Name of Additional Joint Inventor, if any:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))

Family Name or Surname

Inventor's  
Signature

Date

Residence: City

State

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Country

Name of Additional Joint Inventor, if any:

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Given Name (first and middle (if any))

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